

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION**

**IN RE:**

**TEXAS PELLETS, INC. and  
GERMAN PELLETS, LLC**

**DEBTORS.**

§  
§  
§  
§  
§  
§  
§  
§

**CASE NO. 16-90126**

**CASE NO. 16-90217**

**CHAPTER 11**

**Jointly Administered Under  
16-90126**

**NORTH AMERICAN PROCUREMENT COMPANY'S LIMITED OBJECTION  
TO ENTRY OF ORDER APPROVING SALE**

TO THE HONORABLE BILL PARKER, UNITED STATES BANKRUPTCY JUDGE:

North American Procurement Company ("NAPCO") files this Limited Objection to Entry of Order Approving Sale, as follows:

1. NAPCO is a creditor and party-in-interest in this proceeding.
2. NAPCO has not been provided with the proposed sale order nor proposed distribution of proceeds. NAPCO has filed a limited Objection to confirmation of the Debtors' Plan because, among other things, the amount of the "Distribution Reserve" is unspecified. NAPCO objects to the distribution of sale proceeds to the extent that the Distribution Reserve is not adequate to cover all anticipated costs including, but not limited to, payment of administrative expense claims that are ultimately allowed.

Respectfully submitted,

WALLER LANSDEN DORTCH & DAVIS, LLP

By: /s/ Mark C. Taylor

Eric J. Taube

State Bar No. 19679350

Mark C. Taylor

State Bar No. 19713225

100 Congress Avenue, Suite 1800

Austin, Texas 78701

Telephone: (512) 685-6400

Telecopier: (512) 685-6417

[eric.taube@wallerlaw.com](mailto:eric.taube@wallerlaw.com)

[mark.taylor@wallerlaw.com](mailto:mark.taylor@wallerlaw.com)

**ATTORNEYS FOR NORTH AMERICAN  
PROCUREMENT COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon those parties receiving the Court's ECF notification as listed on the attached service list and via email on the parties listed below on the 10th day of May, 2019:

**Debtors' Counsel**

Locke Lord LLP  
601 Poydras Street, Suite 2660  
New Orleans, Louisiana 70130  
Attn: C. Davin Boldissar  
Email: [dboldissar@lockelord.com](mailto:dboldissar@lockelord.com)

**Counsel to the UCC**

Attn: Patrick Kelley  
Patrick Kelley, PLLC  
112 E. Line Street, Suite 203  
Tyler, Texas 75702  
E-mail: [pat@patkelleylaw.com](mailto:pat@patkelleylaw.com)

**Counsel for Bond Trustee**

Attn: Daniel S. Bleck  
Mintz Levin Cohn Ferris et al.  
One Financial Center  
Boston, MA 02111  
E-mail: [dsbleck@mintz.com](mailto:dsbleck@mintz.com)

**The Office of the United States Trustee  
for the Eastern District of Texas**

Attn: John Vardeman, Trial Attorney  
110 N. College, Suite 300  
Tyler, Texas 75702  
E-mail: [John.M.Vardeman@usdoj.gov](mailto:John.M.Vardeman@usdoj.gov)

**Debtors' Investment Banker**

Attn: Jay C. Jacquin, Managing Director  
Configure Partners  
Tower Place Buckhead  
3340 Peachtree Rd NE, Suite 1010  
Atlanta, GA 30326  
E-mail: [jjacquin@configurepartners.com](mailto:jjacquin@configurepartners.com)

*/s/ Mark C. Taylor*

Eric J. Taube/Mark C. Taylor

**SERVICE LIST - ECF PARTIES ONLY**

**Debtor's Counsel**

William Steven Bryant  
Emily Mott  
Locke Lord LLP  
600 Travis Street, #2800  
Houston, TX 77002-2914

Bradley Clay Knapp  
Locke Lord, LLP  
2200 Ross Avenue, # 2200  
Dallas, TX 75201-6776

C. Davin Boldissar  
Locke Lord  
601 Poydras Street, Suite 2660  
New Orleans, LA 70130

Jason R. Searcy  
P.O. Box 3929  
Longview, TX 75606-3929

Joshua P. Searcy  
Searcy & Searcy, P.C.  
P.O. Box 3929  
Longview, TX 75606-3929

**U.S. Trustee**

Timothy W. O'Neal  
Office of the U.S. Trustee  
110 N. College Ave., #300  
Tyler, TX 75702-7231

John M. Vardeman  
Office of the U.S. Trustee  
110 N. College Ave., #300  
Tyler, TX 75702-7231

**Parties Requesting Service**

Daniel Bleck  
Mintz, Levin  
One Financial Center  
Boston, MA 02111-2657

Rudy J. Cerone  
McGlinchey Stafford  
601 Poydras Street, 12<sup>th</sup> Fl.  
New Orleans, LA 70130

Scott R. Cheatham  
Adams and Reese, LLP  
701 Poydras Street, # 4500  
New Orleans, LA 70139

John P. Dillman  
P.O. Box 3064  
Houston, TX 77253-3064

Thomas Fortenberry  
P.O. Box 2254  
Manchaca, TX 78652

Ronald J. Friedman  
Silverman Acompora, LLP  
100 Jericho Quadrangle  
Suite 300  
Jericho, NY 11753-2702

Steven T. Holmes  
McGlinchey Stafford  
2711 N. Haskell Ave.  
LB 38, #2750  
Dallas, TX 75204-2911

Patrick Kelley  
Ireland, Carroll, & Kelley  
6101 South Broadway  
Suite 500  
Tyler, TX 75703-4408

James W. King  
Offerman & King, L.L.P.  
6420 Wellington Place  
Beaumont, TX 77706

Mark A. Mintz  
Jones Walker, LLP  
201 St. Charles Avenue, 49<sup>th</sup> Fl.  
New Orleans, LA 70170

Adrienne K. Walker  
Mintz Levin Cohn Ferris Glovsky  
One Financial Center  
Boston, MA 02111-2657

H. Kent Aguillard  
141 S. 6th St.  
P.O. Drawer 391  
Eunice, LA 70535

Timothy Alvin Davidson, II  
Andrews Kurth  
600 Travis  
Suite 4200  
Houston, TX 77002

Nathaniel Peter Holzer  
Shelby Jordan  
Antonio Ortiz  
Jordan, Hyden, Womble, Culbreth  
& Holzer, PC  
500 N. Shoreline Blvd. Suite 900  
Corpus Christi, TX 78401

Debra L. Innocenti  
Innocenti Jones PLLC  
110 E Houston St  
San Antonio, TX 78205  
Christopher D. Leavins

Angela N. Offerman  
Michael Ridulfo  
Kane Russell Coleman Logan  
Galleria Tower II  
5051 Westheimer Road, 10th Floor  
Houston, Texas 77056

Sidney H. Scheinberg  
Godwin Bowman & Martinez  
Renaissance Tower  
1201 Elm Street, Suite 1700  
Dallas, TX 75270

"J" Jackson Shrum  
Austria Shrum LLC  
One Commerce Center  
1201 N. Orange Street, Suite 502,  
Wilmington, DE 19801

David Allan Wender  
Alston & Bird  
One Atlantic Center  
1201 West Peachtree Street  
Suite 4900  
Atlanta, GA 30309-3424

Maryann Zaki  
Eversheds Sutherland  
1001 Fannin St #3700  
Houston, TX 77002

Jason S. Brookner  
Amber M. Carson  
Gray Reed & McGraw LLP  
1601 Elm St., Ste. 4600  
Dallas, TX 75206

Abigail Ryan  
Assistant Attorney General  
Bankruptcy Division  
P.O. Box 12548-MC008  
Austin, TX 78711-2548

Jason M. Katz  
Hiersche, Hayward, Drakeley &  
Urbach, P.C.  
15303 Dallas Pkwy. #700  
Addison, TX 75001

**SERVICE LIST - ECF PARTIES ONLY**

Eric M. English  
Porter Hedges LLP  
1000 Main St., 36<sup>th</sup> Floor  
Houston, TX 77002

Richard A. Graham  
Rashida J. Adams  
White & Case LLP  
1221 Avenue of the Americas  
New York, NY 10036-2757

Robert P. Franke  
Andrew G. Edson  
Strasburger & Price, LLP  
901 Main Street, Suite 4400  
Dallas, TX 75202-3794

Paul Rosenblatt, Esq.  
Kilpatrick Townsend & Stockton  
1100 Peachtree Street NE, Ste 2800  
Atlanta, GA, 30309-4528

Jay W. Hurst  
Assistant Attorney General  
Bankruptcy & Collections Division  
MC 008  
P.O. Box 12548  
Austin, Texas 78711-2548

Mark David Sherrill  
Eversheds Sutherland (US) LLP  
1001 Fannin St., Ste. 3700  
Houston, Texas 77002

William S. Sugden  
Alston & Bird LLP  
1201 West Peachtree Street  
Atlanta, GA 30309-3424

Britton L. Larison  
McGlinchey Stafford, PLLC  
6688 N. Central Expwy, Ste 400  
Dallas, Texas 75206

Mathilda S. McGee-Tubb  
Mintz, Levin, Cohn, et al.  
One Financial Center  
Boston, Massachusetts 02111

John P. Lewis, Jr.  
1412 Main Street, Suite 210  
Dallas, Texas 75205

Melanie Gray  
Winston & Strawn, LLP  
1111 Louisiana, 25th Floor  
Houston, Texas 77002